

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Wiley Y. Daniel**

Civil Action No. 06-cv-00036-WYD-MJW

MICHAEL J. WARD,

Plaintiff,

v.

THOMAS SIEBEL;  
THE SIEBEL LIVING TRUST;  
JUSTIN DOOLEY  
FIRST VIRTUAL MANAGEMENT, INC.

Defendants.

---

**ORDER**

---

THIS MATTER is before the Court on the Mandate of the Tenth Circuit, filed March 19, 2010 [#172], the Supplement to Mandate, filed March 19, 2010 [#173], and the Judgment of the Tenth Circuit, filed February 22, 2010 [#171]. Consistent with the Mandate, Supplement to Mandate, and Judgment, it is

ORDERED that the Clerk of Court shall issue an Amended Judgment in favor of Defendant Siebel Living Trust as to Plaintiff's third claim for breach of the covenant of good faith and fair dealing. It is

FURTHER ORDERED that pursuant to Fed. R. App. P. 39, costs are taxed in favor of Defendant Siebel Living Trust in the amount of \$712.20.

Dated: March 26, 2010

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge